

# CITY OF SAN BRUNO

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## STAFF

George D. Foscardo, AICP,  
*Community Development Director*  
Grant Wilson, AICP, *Associate Planner*  
Aaron Akin, *Assistant Planner*  
Pamela Thompson, *City Attorney*  
Tanya Sullins, *Recording Secretary*

## PLANNING COMMISSIONERS

Kevin Chase, *Chair*  
Perry Petersen, *Vice-Chair*  
Mary Lou Johnson  
Bob Marshall Jr.  
Joe Sammut  
Robert Schindler  
Mark Tobin

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## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION MINUTES

June 17, 2003

San Bruno Senior Center  
1515 Crystal Springs Blvd.  
7:00 P.M. to 7:40 P.M.

**CALL TO ORDER at 7:00 p.m.**

### ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Chase	X	
Vice Chair Petersen	X	
Commissioner Johnson		x
Commissioner Marshall	Arrived at 8 p.m.	
Commissioner Schindler		x
Commissioner Sammut	X	
Commissioner Tobin	X	

### STAFF PRESENT:

Planning Division: **George Foscardo**  
**Aaron Akin**, Assistant Planner  
**Tanya Sullins**, Planning Secretary  
City Attorney's Office: **Karen Murphy**, Special Counsel

**Pledge of Allegiance** **Commissioner Sammut**

- 1. Approval of Minutes** Commissioner Tobin/Commissioner Sammut
- 2. Communication –** Community Development Director Foscardo introduced Karen Murphy as Special Counsel replacing City Attorney Pamela Thomson in her absence.
- 3. Public Comment** N/A
- 4. 125 San Benito Avenue**

Request for a use permit to legalize an existing addition that was built without permits and exceeds the permitted floor area; per Section 12.200.030 of the San Bruno Zoning Ordinance; Julie Lee, applicant/owner; Warner Wong, architect.

Assistant Planner Aknin entered staff report. Staff recommends denial, and have this be brought back to Code Enforcement and be restored to its existing approved usage. It was submitted incomplete, and applicant has not sent in a complete packet. The addition is too large.

Vice Chair Petersen asked why this has been brought to the commission. Assistant Planner Aknin stated to get this off the books because it has never been denied, and take it off the Planning Commission agenda for good. Community Development Director Foscardo stated that there are some rules that if an application is not acted on in a certain time period it will be deemed approved, and staff wants to avoid any circumstances where the City could be held liable for not taking any action.

#### Public Hearing Opened

Applicant and architect, Mr. Wong, was present to answer questions. He states that the plans submitted were accurate to what was there and what was constructed. The labeling on the floor plan represents what they intent to change the home back to. He also wanted to point out that in the Findings of Denial, that the building addition is all on the 1<sup>st</sup> floor, so it doesn't affect the neighbors. It is only an 8-foot addition in the rear.

Vice Chair Petersen asked what exactly was the 8-foot addition, since the plans reflect several different dimensions. Mr. Wong stated that the 8-feet are the illegal part of the addition. Vice Chair Petersen also asked for clarification that the plans that they have in front of them actually reflect what is being proposed, not what there is currently. Applicant stated that it did reflect what they are proposing. Applicant also stated that the owner said that they are happy to have the City come in and do an inspection to acknowledge that the place has been cleared of all code enforcement violations. Vice Chair Petersen asked if the applicant has spoken with staff on the application, and if so why he didn't submit what the existing plans are. Applicant stated that he spoke with staff twice, and what happened was that the owner was going to sell the building, and in the process she was going to tear down the addition. But now the owner has moved back to this property. Chair Chase asked why the applicant or owner had not been on continuous contact with staff to try to clear up the issues. Applicant stated that his 2 conversations with staff happened within a month of when he submitted the plans (12/01). Because of the circumstances there has been no contact. Commissioner Sammut verified that the owner was going to keep the building, and that the applicant has drawn plans to legalize what has been built. These plans have been submitted with the original set. Vice Chair Petersen asked about a number of notes that are referred to on the plans. Applicant stated that those notes reflect a part of the plans that are not on the plans. Vice Chair Petersen asked staff if the Commission is missing documents. Community Development Director Foscardo stated that the Commission does not have sufficient information in front of them to approve anything, but they do to deny. Since Staff has not had any contact from the applicant since approximately 4/2002, it could be continued now, with the proper cooperation from the applicant. Commissioner Petersen asked if the plans are a fair representation of the submittal right now. Commissioner Sammut wanted to know what would happen if the Commission would deny this without prejudice. Community Development Director Foscardo stated that if it is denied without prejudice they still have a right to correct the situation, but they could re-file. Commissioner Sammut asked if continuing the process keep the timeline that this project is under keep it

going, or does it start a new timeline. Community Development Director Foscardo stated that if the Applicant requests before this commission to allow him to finish up the plans correctly and have the inspections, that puts it on the applicant to keep it going. Commissioner Sammut also wanted to know if a new submittal would come before the Planning Commission again. Commissioner Tobin asked how long typically after a conditional use permit is pulled is the timeline. Community Development Director Foscardo stated that in a Use Permit they would have a year to pull a permit. But since this is a code enforcement issue the Building Department would want things handled sooner than that. Commissioner Sammut asked the applicant if he would be opposed to a continuance. Applicant stated that he agrees with a continuance and even suggested putting a date on it to speed up the process.

Public Hearing Closed

**Motion Sammut/Second Petersen** Motion to deny without prejudice UP 01-57 (*The Motion for denial passes per Special Counsel Murphy, because any motion to approve needs majority vote, where a motion to deny which is keeping with status, just needs a tie vote to sustain that.*)

VOTE: 2-2-0  
AYES: 2  
NOES: 2  
ABSTAIN: 0

**(Chair Chase advised of the 10-day appeal period.)**

**5. 529 4<sup>th</sup> Avenue**

Request for a Use Permit for a single story addition, which would increase the existing floor area by more than 50%, per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Val Dizitser (designer) -- Ivan Krupsky (owner/applicant).

Assistant Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-14 based on Findings of Fact (1-9) and Conditions of Approval (1-16). Designer was present to answer questions. Vice Chair Petersen asked if conditions of approval were acceptable. Designer stated that they were. Vice Chair Petersen commended on the plans submitted.

Public Hearing Opened

N/A

Public Hearing Closed

**Motion Petersen /Second to Sammut to approve** Use Permit 03-14 based on Findings of Fact (1-9) and Conditions of Approval (1-16).

VOTE: 4-0-0  
AYES: 4  
NOES: 0  
ABSTAIN: 0

**(Chair Chase advised of the 10-day appeal period.)**

## **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, June 7, 2003, and notices were mailed to property owners within 300 feet of the project site on June 6, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.
9. The project is in the San Bruno Development Area.

## **CONDITIONS FOR APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-14 shall not be valid for any purpose. Use Permit 03-14 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit for first story addition to an existing dwelling shall be built according to plans approved by the Planning Commission on June 17, 2003, labeled Exhibit A except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.
9. The garage shall be kept clear of storage items at all times so that one car may fit inside.
10. Drain line increased to four (4) inches at 4<sup>th</sup> toilet to street.

**Department of Public Works - (650) 616-7065**

9. Install a sanitary sewer cleanout at the property line.
10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. No fence or retaining wall shall be built within 2' from the back of the sidewalk.
12. Replace broken driveway approach.
13. Remove overgrowth of grass from sidewalk.
14. Remove red paint from curb or cover with gray paint.

**6. 1905 Spyglass Drive**

Request for a use permit for a two-story addition, which would increase the existing floor area by more than 50%, per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance – Raymond Levinson, owner; Concept International Consulting Group, architects.

Assistant Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-15 based on Findings of Fact (1-8) and Conditions of Approval (1-12). Owner was present to answer questions. Vice Chair Petersen asked if agreed with conditions of approval. Applicant stated that he did.

Public Hearing Opened

N/A

Public Hearing Closed

**Motion Sammut /Second Petersen to** approve Use Permit 03-15 based on Findings of Fact (1-8) and Conditions of Approval (1-12).

VOTE:	4-0-0
AYES:	4
NOES:	0
ABSTAIN:	0

**(Chair Chase advised of the 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, June 7, 2003, and notices were mailed to property owners within 300 feet of the project site on June 6, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.

8. The off-street parking will be adequate for the residence.

### **CONDITIONS FOR APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-15 shall not be valid for any purpose. Use Permit 03-15 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit for first story addition to an existing dwelling shall be built according to plans approved by the Planning Commission on June 17, 2003, labeled Exhibit A except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.
9. Debris and construction equipment shall be removed from the front and side yard prior to the issuance of a building permit.

### **Department of Public Works - (650) 616-7065**

10. Install a sanitary sewer lateral cleanout at the property line per City standard.

11. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
12. No fence or retaining wall shall be built beyond property line.

**7. 445 Cherry Avenue**

Request for a Use Permit & Minor Modification Permit for a single story addition, which would increase the existing floor area by more than 50%, proposes a floor area greater than 1825 sq. ft. with only one covered space, and proposes to extend the 3' & 4'7" side yard setbacks, per Section 12.200.030.B.1, 12.200.080(A)(2), and 12.120.010(B) of the San Bruno Zoning Ordinance. Michael Burkhardt (designer) -- Nicole & Carl Wind (owner/applicant).

Assistant Planner Akin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-16 and Minor Modification Permit 03-05 based on Findings of Fact (1-8) and Conditions of Approval (1-11).

Applicant (designer) was present to answer questions. Vice Chair Petersen asked if agreed with conditions of approval. Also commended on submittal. Designer agreed with conditions of approval.

Public Hearing Opened

N/A

Public Hearing Closed

**Motion Sammut/Second Petersen to approve** Use Permit 03-16 and Minor Modification Permit 03-05 based on Findings of Fact (1-8) and Conditions of Approval (1-11).

VOTE:	4-0-0
AYES:	4
NOES:	0
ABSTAIN:	0

**(Chair Chase advised of the 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, June 7, 2003, and notices were mailed to property owners within 300 feet of the project site on June 6, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.



4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

#### **CONDITIONS FOR APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-14 and Minor Modification Permit 03-05 shall not be valid for any purpose. UP 03-16 & MM 03-05 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit for first and second story addition to an existing dwelling shall be built according to plans approved by the Planning Commission on June 17, 2003, labeled Exhibit A except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to

this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.

#### **Department of Public Works - (650) 616-7065**

9. Install a sanitary sewer cleanout at the property line.
10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. No fence or retaining wall shall be built within 2' from the back of the sidewalk.

#### **8. Interstate 380**

Request for three (3) automobile storage lots in an Unclassified (U) Zoning District, per Section 12.96.180 of the San Bruno Zoning Ordinance. Peter & Paul Koehler (applicants) – Caltrans (owner).

Assistant Planner Akin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-19 based on Findings of Fact (1-7) and Conditions of Approval (1-15).

Commissioner Sammut asked why Lot A was to be surrounded by a 10 ft fence, and B & C were to be surrounded by a 6 ft fence. Assistant Planner Akin stated that Lot A will be the proposed site for the towed cars, where Lot B & C are going to be used as an overflow parking area for local Car Dealerships. The towed cars will create more of a nuisance than the new cars. Commissioner Tobin asked who was the lessee prior to this application. Assistant Planner Akin stated that it was San Bruno Auto Dismantlers, and this is going to be used as a tow yard not a salvage yard, and 2 of the 3 lots are going to be used as parking for new cars. Commissioner Tobin expressed his concern with the parking problems that were there before when Project K was passed and people had to find alternatives in parking their unused vehicles. He stated that there were transients living in some of the vehicles, and when the train came in they were actually out in the street. Assistant Planner Akin stated that staff received a letter from Tanforan Mall prior to their receiving the staff report in opposition to this project, and now that they realize that this will mostly be used for the new vehicle storage they are not as opposed to it as they were originally. Vice Chair Petersen asked that since these lots tend to get in disarray and tend to look like a junk yard, that he would like to add a condition that towed vehicles will be parked in an orderly manner. Community Development Director Foscardo stated that many times a lot like this would park vehicles right in front of each other so that the possibility of theft is not so great. But agreed that they should be parked neatly. Chair Chase asked staff in regards to the 10 ft fence, it may make it more difficult to determine if someone is in there, and vandalism. Assistant Planner Akin stated that this case was routed to all the departments and this was a request directly from the Police Department. Community Development Director Foscardo suggested that applicant respond to that question since he is in the business.

Applicant from towing company was present to answer questions. Vice Chair Petersen asked about parking the cars in an orderly fashion. Applicant stated that they are currently parking them orderly, 2 cars deep, and will continue to do that at the new lot, because they need to move them around from time to time. Commissioner Tobin asked if the lots would be patrolled in any way. Applicant stated that since they are in and out of the yards all day and night they wouldn't need that. Commissioner Tobin asked how the cars would be going in and out of the tow yard. Applicant stated that they would be going from Montgomery, avoiding San Mateo Avenue not to block traffic. Commissioner Marshall asked if any other independents are going to be using this site. Applicant stated that it would only be themselves and San Bruno Auto Center. Commissioner Marshall asked if the noise would be able to be regulated during after-hours. Applicant stated that they would need to open and close gates since they are towing 24 hours. Commissioner Marshall asked if the drop off of the new cars could be regulated to be done only during business hours. Applicant stated that the new cars will be unloaded at the dealership, and be transferred in the morning.

Public Hearing Opened

N/A

Public Hearing Closed

Commissioner Tobin expressed concern with the traffic on Montgomery because the street is so narrow. He feels this will turn in to a very busy area with all the cars moving in and out, and is also concerned with the increase in theft. Also, with Police impound cars, people are trying to get their cars out. Vice Chair Petersen asked the applicant if they have had problems with theft in the past. Applicant stated that San Bruno Auto Center is there already, and they don't have a big issue with that now, so he didn't see why their additional business would make that big of a difference. Commissioner Tobin stated that it was because the new proposed site is at least 2x's larger than what San Bruno Auto has now. Applicant, Peter Kohler stated that the reason why the Police Department is suggesting a 10-ft high fence is because no one will be able to scale that fence. He also stated that on a daily basis they average towing of about 10 cars, and releasing 10 cars during a 24 hour period, it really isn't that much traffic. He also suggested that they come in on the San Mateo side after hours, and on weekends when traffic dies down on San Mateo Avenue so not to affect the residents on Montgomery Avenue. Commissioner Tobin stated that the street is red zoned on one side all the way down from Walnut down to Atlantic because the street is not wide enough for 2 cars to pass. Applicant stated that when there was an active train station there, there was more traffic moving in and out of there on a daily basis than they will ever have. He also stated that most of the Police towing that is done during a day, is done during the daytime. Vice Chair Petersen asked what the hours were when someone can pick his or her car up from the lot. Applicant stated that they could do so 24-hours per day, but after normal business hours there is a gate fee, which sways people from picking up the cars during that time, so they don't have to pay that fee. He said that 9 out of 10 cars are picked up during normal business hours. Commissioner Marshall asked how long abandoned vehicles are there. Applicant stated that they could be there up to 40 days. But they are typically rotated more frequently than that. Commissioner Tobin asked if an additional condition of approval were added that states that no transients are to reside in the cars. Chair Chase asked if a condition like that could be added. Special Counsel Murphy replied that this condition could be added. Chair Chase asked if they are looking into having some type of surveillance camera installed. Applicant stated they were thinking about it.

**Motion Petersen /Second Marshall** to approve Use Permit 03-19 based on Findings of Fact (1-7) and Conditions of Approval (1-19).

VOTE: 5-0-0  
AYES: 5  
NOES: 0  
ABSTAIN: 0

**(Chair Chase advised of the 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, June 7, 2003, and notices were mailed to property owners within 300 feet of the project site on June 6, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the storage lots is keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the uses will be screened from public view by the proposed green slat fencing.
6. Proposed use is consistent with adjacent industrial uses, many of which are auto related uses.
7. The project is consistent with the San Bruno Redevelopment Plan.

**CONDITIONS FOR APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-19 shall not be valid for any purpose. Use Permit 03-19 shall expire one (1) year from the date of Planning Commission approval unless lots have been fenced in and are being utilized by the towing company.
2. The request for a Use Permit for 3-vehicle storage lots shall be operated in accordance to the description in the staff report dated June 17, 2003, any modification to the approved plans shall require prior approval by the Community Development Director.

3. Violation of any of the conditions of approval listed in this Staff Report shall be cause for the revocation of this use permit.
4. Lot "A", as indicated in the Staff Report, shall be used for the storage of vehicles towed for local law enforcement agencies. All vehicles towed to this site shall only be from the City of San Bruno and the City of South San Francisco.
5. Lot "B", as indicated in the Staff Report, shall be used for the storage of new vehicles from auto dealerships located within the City of San Bruno.
6. Lot "C", as indicated in the Staff Report, shall be used for the storage of new vehicles from auto dealerships located within the City of San Bruno.
7. Lot "A" shall be completely enclosed by a ten (10) foot cyclone fence with green wood slats (no tarps). With vinyl or wood slats
8. Lot "B" & Lot "C" shall be completely enclosed by a six (6) foot cyclone fence with green wood slats (no tarps). With vinyl or wood slats
9. All automobiles associated with the business shall be parked or stored on site. Street parking shall not be utilized by employees or business activities.
10. No tow trucks (of any size) shall be parked on City Streets. In addition, no tow trucks shall idle on City streets for any substantial period of time.
11. Owner shall keep the site clean of debris and trash at all times.
12. Owner shall keep public right of way bordering his site clean of debris and trash at all times.
13. There shall be a conditions compliance inspection six months from the date of this approval. After the initial inspection, inspections shall be done on an annual basis.
14. All sublets of the property shall be review and approved by the Community Development Director and may be appealed to the Planning Commission.
15. I-380 underpass lighting shall be fixed and maintained to the satisfaction of Public Works and Planning Staff.
16. Have graffiti coating applied to the wood or vinyl slats in the fences to prevent graffiti, and all graffiti shall be cleaned up immediately.
17. No structure or office trailer shall be located on the site.
18. No one is to reside on the lot.
19. Towed vehicles will be stored in an orderly fashion.

**9. City Staff Discussion**

ARC for July 10<sup>th</sup> (Petersen, Chase, Sammut)

Request for Commissioner's Email addresses.

Select ad hoc committee to review residential additions from Planning Commission: Vice Chair Petersen and Commissioner Tobin volunteered. Chair Case will be backup.

**10. Planning Commission Discussion**

Vice Chair Petersen commented on how nice the packets were from tonight's applicants, and wanted them to be used as examples for future applicants.

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**George Foscardo,**  
Secretary to the Planning Commission  
City of San Bruno

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**Kevin Chase ,** Chairperson  
Planning Commission  
City of San Bruno

NEXT MEETING: July 15, 2003

GF/ts

Adjourned at: 8:45